

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

LG Philips LCD Co.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
Tatung Co., Tatung Company of America Inc.,	)	C.A. No. 04-343-JJF
and Viewsonic Corp.,	)	JURY TRIAL DEMANDED
	)	
Defendants.	)	
	)	

**NOTICE OF SERVICE OF SUBPOENA**

To: Richard D. Kirk, Esquire	Jeffrey B. Bove, Esquire
The Bayard Firm	James Heisman, Esquire
222 Delaware Avenue #900	Jaclyn M. Mason, Esquire
Wilmington, DE 19899	Connolly Bove Lodge & Hutz LLP
	1007 North Orange Street
Tracy R. Roman, Esquire	P.O. Box 2207
Raskin Peter Rubin & Simon LLP	Wilmington, De 19899
1801 Century Park East, Suite 2300	
Los Angeles, CA 90067	Gaspere J. Bono, Esquire
	Rel S. Ambrozy, Esquire
Scott R. Miller, Esquire	Lora A. Brzezynski, Esquire
Connolly Bove Lodge & Hutz LLP	Cass W. Christenson, Esquire
355 South Grand Avenue	McKenna Long & Aldridge LLP
Suite 3150	1900 K Street, N.W.
Los Angeles, CA 90071	Washington D.C. 20006

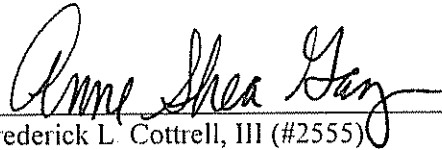
PLEASE TAKE NOTICE that on February 27, 2007, Defendants Tatung Company and Tatung Company of America, Inc. issued the attached subpoena for service on Rebecca Goldman Rudich, McKenna Long & Aldridge LLP, 1900 K Street NW, Washington, DC 20006-1108.

Of Counsel:

Christopher Darrow  
Mark H. Krietzman  
Frank E. Merideth, Jr.  
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Washington, DC 20006

Dated: March 1, 2007



Frederick L. Cottrell, III (#2555)  
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Attorneys for Defendants Tatung Co. and Tatung  
Company of America Inc.

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

**CERTIFICATE OF SERVICE**

I hereby certify that on March 1, 2007 I caused to be served by hand delivery the foregoing document and electronically filed the same with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

Richard D. Kirk, Esquire  
The Bayard Firm  
222 Delaware Avenue #900  
Wilmington, DE 19899

Jeffrey B. Bove, Esquire  
James Heisman, Esquire  
Jaclyn M. Mason, Esquire  
Connolly Bove Lodge & Hutz LLP  
1007 North Orange Street  
P.O. Box 2207  
Wilmington, DE 19899

I hereby certify that on March 1, 2007 I caused to be sent the foregoing document to the following non-registered participants in the manner indicated below:

**VIA FEDERAL EXPRESS**

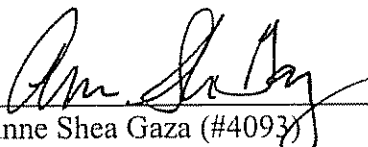
Gaspare J. Bono, Esquire  
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1900 K Street, N.W.  
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**VIA FEDERAL EXPRESS**

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\_\_\_\_\_  
Anne Shea Gaza (#4093)  
Gaza@rlf.com

DAO 88 (Rev. 12/06) Subpoena in a Civil Case

Issued by the  
**UNITED STATES DISTRICT COURT**  
 DISTRICT OF DISTRICT OF COLUMBIA

LG PHILIPS LCD CO., LTD.

V  
 TATUNG CO.; TATUNG COMPANY OF AMERICA,  
 INC.; and VIEWSONIC CORPORATION

**SUBPOENA IN A CIVIL CASE**

Case Number: <sup>1</sup> 04-343  
 USDC, District of Delaware

TO: Rebecca Goldman Rudich  
 McKenna Long & Aldridge LLP  
 1900 K Street NW  
 Washington, DC 20006-1108

- ☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

- ☒ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case

PLACE OF DEPOSITION Greenberg Traurig LLP 800 Connecticut Avenue, N.W Suite 500 Washington, D.C. 20006	DATE AND TIME March 21, 2007 10:00 am
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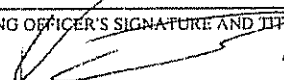
- ☐ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

PLACE	DATE AND TIME
-------	---------------

- ☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
----------	---------------

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify Federal Rules of Civil Procedure, 30(b)(6)

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)  Attorney for Defendants Tatung Co., and Tatung Co. of America	DATE February 27, 2007
---	---------------------------

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER  
 VALERIE HO, ESQ., GREENBERG TRAURIG, LLP, 2450 Colorado Avenue, Suite 400E, Santa Monica, CA 90404 (310) 586-7700

(See Rule 45 Federal Rules of Civil Procedure Subdivisions (c), (d) and (e), on next page)

<sup>1</sup> If action is pending in district other than district of issuance, state district under case number

AO 88 (Rev. 12/06) Subpoena in a Civil Case

**PROOF OF SERVICE**

DATE

PLACE

SERVED:

SERVED ON (PRINT NAME)

MANNER OF SERVICE

SERVED BY (PRINT NAME)

TITLE

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), as amended on December 1, 2006:

**(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS**

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection, copying, testing, or sampling of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection, copying, testing, or sampling may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena a written objection to producing any or all of the designated materials or inspection of the premises — or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect, copy, test, or sample the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production, inspection, copying, testing, or sampling. Such an order to compel shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection, copying, testing, or sampling commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance;
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (e)(3)(B)(ii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held;
- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information; or
- (ii) requires disclosure of an unreviewed expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party; or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject

to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

**(D) DUTIES IN RESPONDING TO SUBPOENA**

(1) (A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which the person ordinarily maintains it or in a form or forms that are reasonably usable.

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form.

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) (A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial-preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim; if the receiving party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

(e) CONTEMPT. Failure of any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An adequate cause for failure to obey exists when a subpoena purports to require a nonparty to attend or produce at a place not within the limits provided by clause (ii) of subparagraph (c)(3)(A).